

Docket No. 244167US2S CONT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Norihide FUNATO, et al.

SERIAL NUMBER: 10/686,587

ATTN: APPLICATION BRANCH

FILING DATE: October 17, 2003

FOR: SEMICONDUCTOR DEVICE AND METHOD OF MANUFACTURING THE SAME

FILING OF DECLARATION UNDER 37 CFR 1.53(f)

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:

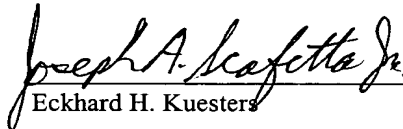
Responsive to the notification dated January 21, 2004, and in accordance with the provisions of 37 CFR 1.53(f), Applicants submit herewith a Rule 63 Declaration.

The required fee was paid at the time of filing the application.

In light of the foregoing, this application is deemed to be in proper condition for examination and such favorable action is earnestly solicited.

Respectfully Submitted,

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DECLARATION FOR PATENT APPLICATION

(02S0231P1)

As a below named inventor, I declare that my residence, mailing address and citizenship are as stated below above my name; I believe that I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

SEMICONDUCTOR DEVICE AND METHOD OF MANUFACTURING THE SAME

the specification of which is attached hereto unless the following box is checked.

☒ was filed on 10/17/03 as United States Patent Application No. 10/686,587

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 35 U.S.C. 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application on which priority is claimed:

Japanese Patent Application No. 2001-120309, filed April 18, 2001

I hereby claim the benefit under 35 U.S.C. 120 of any United States application(s) or 35 U.S.C. 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application or PCT International application in the manner provided by the first paragraph of 35 U.S.C. 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, which became available between the filing date of the prior application and the national or PCT international filing date of this application.

International Application PCT/JP02/03829, filed April 17, 2002,
which was amended on February 28, 2003.

I hereby appoint as my attorneys, with full power of substitution and revocation, to prosecute this application and transact all business in the Patent and Trademark Office connected therewith: the registrants of Oblon, Spivak, McClelland, Maier & Neustadt, P.C., 1940 Duke Street, Alexandria, Virginia 22314, Customer No. 22850, or any one of them. Send correspondence to Oblon, Spivak, McClelland, Maier & Neustadt, P.C., 1940 Duke Street, Alexandria, Virginia 22314.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

DECLARATION FOR PATENT APPLICATION

(02S0231P1)

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